

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

CLEVELAND HILL ENDOWMENT, INC.,

Plaintiff(s),

v.

ANDREW FLORES, et al.,

Defendant(s).

Case No. 2:21-cv-01207-APG-NJK

**Order**

Pending before the Court is a motion to proceed *pro se*. Docket No. 5.<sup>1</sup> As the relief being sought is not entirely clear, the motion will be **DENIED** without prejudice.

This case was initiated with a complaint identifying the Plaintiff as Cleveland Hill Endowment, Inc. *See* Docket No. 1. Because corporations cannot proceed in federal court without a licensed attorney, the Court then ordered Cleveland Hill Endowment to file a notice of appearance of counsel. Docket No. 5 (citing *United States v. High Country Broad. Co.*, 3 F.3d 1244, 1245 (9th Cir. 1993)). Rather than comply with that requirement, the instant motion was filed indicating that it is actually Timothy Cleveland who is the Plaintiff in this case. Docket No. 5 at 1. The motion then relies on the procedures for intervention, although it appears that Mr. Cleveland may be attempting to amend the claims to identify himself as the Plaintiff. *See id.* Complicating matters further, it does not appear that Mr. Cleveland is the allegedly aggrieved party identified in the complaint, as that instead appears to be his mother. *See id.* at 2 (identifying Mr. Cleveland's mother as "the Unit Owner"). Mr. Cleveland has not provided meaningful explanation as to how he is able to bring suit on his mother's behalf. *Cf. Johns v. County of San Diego*, 114

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<sup>1</sup> As the motion was filed by a non-attorney, the Court construes it liberally. *Erickson v. Pardus*, 551 U.S. 89, 94 (2007).

1 F.3d 874, 876-77 (9th Cir. 1997) (addressing rule that a non-attorney may not represent another  
2 person in federal court, and holding that a parent or guardian cannot bring suit on behalf of a minor  
3 child without retaining an attorney).

4 Given the above, the pending motion to proceed *pro se* is **DENIED** without prejudice. To  
5 the extent this case is to proceed with Cleveland Hill Endowment as the Plaintiff, then an  
6 appearance of counsel must be filed by October 5, 2021. To the extent this case is to proceed with  
7 a natural person as the Plaintiff, then an amended complaint must be filed identifying that person  
8 as the Plaintiff and providing the allegations necessary to state a claim. *See* Fed. R. Civ. P.  
9 15(a)(1)(B); *see also Vanguard Outdoor, LLC v. City of Los Angeles*, 748 (9th Cir. 2011) (a party  
10 may amend once as a matter of course when no Rule 12(b) motion or answer has been filed).<sup>2</sup> Any  
11 such amended complaint must be filed by October 5, 2021.

12 IT IS SO ORDERED.

13 Dated: September 14, 2021

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17 Nancy J. Koppe  
18 United States Magistrate Judge  
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27 <sup>2</sup> The Court cautions that an amended complaint must be complete in and of itself, as an  
28 amended complaint would supersede the complaint previously filed in the case. Local Rule 15-  
1(a).